



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

March 4, 2014

Lewis County Sewer & Water District  
Attn: Virgil Fox  
921 B Middle Fork RD  
Onalaska WA 98570

Re: Water Right Permit No. **G2-28021, G2-28392, G2-28391**

Dear Mr. Fox:

In response to your request, the development schedule for the above referenced water right has been extended as follows:

**Proof of Appropriation: April 1, 2020**

Basis of extension approval:

- Local development patterns and local economic conditions.
- Desire of permit holder to collect additional metering data for issuance of a certificate.

**The following provisions have been added to your permit as a condition of this extension approval:**

Withdrawals from the Birchfield Meadows wells will likely capture groundwater that would otherwise contribute baseflows to the North, South, and Middle Forks of the Newaukum River. In 1988, Chapter 173-522 WAC (Instream Flow Rule for the Chehalis Basin) closed the Middle Fork of the Newaukum River from May 1 to October 1 each year. This regulation also established baseflows for the North and South Forks and the mainstem of the Newaukum River. These baseflows are not always met, especially during the summer months.

Because of impacts to surface water, Lewis county Water District #5 or any successor must prepare and implement a mitigation and conservation plan, specifically for Birchfield Meadows. This plan must specifically address measures to be taken to reduce water use and mitigate summer withdrawals of water. The elements of this mitigation and conservation plan shall consist of the following:

- Implementing low impact development (LID) techniques to control stormwater runoff, where practicable and allowed under applicable local regulations.
- Managing stormwater so off-site flows are equal to or less than flow from natural non-forested conditions.
- Operating a conservation plan to reduce water demand (e.g., limiting outdoor water usage, requiring drought resistant plants for landscaping, minimizing disruption to native vegetation, etc.).

Lewis County Water and Sewer District #5 is also encouraged to mitigate in other means such as purchasing valid water rights to voluntarily relinquish to preserve the environment and protect instream flows.



This extension approval is also conditioned upon the completion and submittal of the above described mitigation and conservation plan by April 1, 2016. A hardcopy of the plan must be sent to the following address:

Department of Ecology  
Water Resources Program/SWRO  
PO Box 47775  
Olympia, WA 98504-7775

**Your Right To Appeal**

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).


To appeal you must do the following within 30 days of the date of receipt of the Order. File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW Ste 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website:  
<http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

Sincerely,

  
Michael J. Gallagher  
SWRO Section Manager  
Water Resources Program

Enclosures: *Your Right to Be Heard*  
*Proof of Appropriation Form*

CERTIFIED MAIL: 7012 1010 0003 0195 8695